

IN THE UNITED STATES BANKRUPTCY COURT
District of Puerto Rico

In the Matter of:

MELISSA DE HOSTOS ALVAREZ

Debtor(s)

Case No. **09-06440-MCF**

Chapter 13

**MOTION IN SUPPORT OF RECONSIDERATION OF DISMISSAL
AND TO INFORM PAYMENT TO THE PLAN**

TO THE HONORABLE COURT:

The debtor, by means of the undersigned counsel, represents as follows:

1. Present case was dismissed on August 5, 2011 and a hearing to reconsider dismissal was scheduled for November 4, 2011. Secured creditor Banco Popular withdrew a motion opposing reconsideration, but the trustee opposed that reconsideration based on debtors accumulated arrears in the plan and failure to refinance or sell her residential property as proposed in the plan.
2. On November 3, 2011 debtor mailed a payment to the trustee for the amount in arrears (\$600.00) and will proposed a modified plan in order to request an extension of one additional year to complete her plan of refinancing her mortgage or sell the collateral. Due to slow sales market conditions, completing that operation had been unsuccessful, but debtor's mother is helping her to complete these activities as intended.
3. A modification of plan was not proposed earlier because until November 3, 2011, we ere waiting for debtor to cure her arrears in the plan.
4. Evidence of payment mailed to the trustee is attached to this motion.

WHEREFORE, Debtors pray to the Honorable Court to take notice of the informed above and deny motion filed by the trustee.

I HEREBY CERTIFY, that on this same date a true and exact copy of the foregoing has been filed with the clerk of the court using CM/ECF which will notify the trustee and Banco Popular de Puerto Rico.

RESPECTFULLY SUBMITTED in Vega Baja, Puerto Rico, this November 4, 2011.

s/ Juan O. Calderon Lithgow
JUAN O. CALDERÓN LITHGOW

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